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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MARC SPITZER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF THE APPLICATION OF
BEARDSLEY WATER COMPANY TO EXTEND
ITS CERTIFICATE OF CONVENIENCE AND
NECESSITY.

DOCKET NO. W-02074A-03-0608

PROCEDURAL ORDER**BY THE COMMISSION:**

On August 26, 2003, Beardsley Water Company ("Company" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water utility service in various parts of Maricopa County, Arizona.

On September 18, 2003, the Commission's Utilities Division ("Staff") issued a notice that the application had not met the sufficiency requirements of A.A.C. R14-2-411(C).

On October 1, 2004, in lieu of a letter of administrative sufficiency, Staff filed its Staff Report.

On October 5, 2004, by Procedural Order, the proceeding was scheduled for hearing on November 4, 2004.

On October 18, 2004, pursuant to the Commission's Procedural Order, public notice of the proceeding was provided.

On November 4, 2004, Applicant filed a Motion to Continue ("Motion") the proceeding because the parcel of land which is the subject of this proceeding had been sold and placed in escrow. The Company requested an indefinite continuance and requested that the time-frame pursuant to A.A.C. R14-2-411(C) be suspended until the new property owner was ready to go forward. Staff did not oppose the Company's Motion.

On November 5, 2004, by Procedural Order, the hearing was continued indefinitely and the time-clock suspended until a Motion to Reschedule was filed.

On December 7, 2004, Applicant filed a Motion to Reschedule the hearing.

On January 12, 2005, by Procedural Order, the proceeding was rescheduled for hearing on February 3, 2005.

On February 3, 2005, a full public hearing was convened before a duly authorized Administrative Law Judge of the Commission at its offices in Phoenix, Arizona. The Company and Staff appeared with counsel. At the conclusion of the hearing, the matter was taken under advisement.

On April 8, 2005, a Recommended Opinion and Order was issued recommending approval of the application.

On April 27, 2005, prior to the Recommended Opinion and Order being approved by the Commission, the Company filed a Motion to Withdraw the application because the developer of the proposed extension area "had changed its marketing plan" and cancelled its request for service for the area.

On April 28, 2005, Staff filed its response indicating that it had no objection to the Company's Motion to Withdraw.

Accordingly, the Company's Motion to Withdraw its application should be granted and the Docket should be administratively closed.

IT IS THEREFORE ORDERED that the Motion to Withdraw Application is hereby granted.

IT IS FURTHER ORDERED that this Docket is hereby administratively closed.

Dated this 29 day of April, 2005


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 29 day of April, 2005 to:

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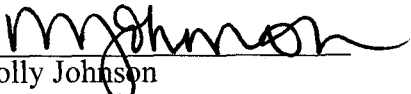
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